

REMARKS

Claims remaining in the present patent application are numbered 1-27. Dependent Claims 25-27 are new. No new matter has been added. The rejections and comments of the Examiner set forth in the Office Action dated June 8, 2004 have been carefully considered by the Applicants. Applicants respectfully request the Examiner to consider and allow the remaining claims.

35 U.S.C. §102 Rejection

The present Office Action rejected Claims 1-4, 8, 9, 11-14, and 18-21 under 35 U.S.C. 102(e) as being anticipated by Elms et al. (U.S. Patent Application Publication No. 2002/0072992 A1). Applicants have reviewed the above cited references and respectfully submit that the present invention as recited in Claims 1-4, 8, 9, 11-14, and 18-21, is neither anticipated nor rendered obvious by the Elms et al. reference.

Independent Claims 1, 11 and 18

Applicants respectfully point out that independent Claims 1 and 18 each recite that the present invention includes, in part:

[A] method for conducting a transaction in a business-to-business (B2B) exchange, comprising the steps of:

locating a first party and a second party;

establishing voice communication directly between the first party and the second party;

establishing a web-based collaboration session directly between the first party and the second party through a mutual URL in conjunction with the voice communication;

transacting a business deal between the first party and the second party, wherein the steps of locating, conducting, and transacting are performed in an integrated software communication platform within the B2B exchange. (Emphasis Added)

In addition, independent Claim 11 recites, in part:

An apparatus for conducting a transaction in a business-to-business (B2B) exchange, comprising:

means for locating a first party and a second party;

means for establishing voice communication directly between the first party and the second party;

means for establishing a web-based collaboration session between the first party and the second party through a mutual URL in conjunction with the voice communication; and

means for transacting a business deal between the first party and the second party, wherein the steps of locating, establishing, and transacting are performed in an integrated software communication platform within the B2B exchange. (Emphasis Added)

The present invention pertains to a method and apparatus for providing a locate, collaborate, and transact (LCT) communications platform for a business-to-business (B2B) exchange service center. In particular, independent Claims 1 and 18 each recite establishing a direct voice communication between located parties in conjunction with establishing a web-based collaborative session between the two parties.

That is, independent Claims 1, 11, and 18 each recite the simultaneous voice and web-based collaboration session between a first party and a second party that have been located, such as in an LCT communications platform.

Also, independent Claim 11 recites a means for establishing a direct voice communication between located parties in conjunction with establishing a web-based collaborative session between the two parties in an apparatus.

Applicants respectfully note that the prior art reference, Elms et al., does not comprise nor suggest the present method and apparatus that enables conducting transactions in a B2B exchange including establishing a direct voice communication and a web-based collaborative session through a mutual URL between a first party and a second party, as recited in independent Claims 1, 11, and 18.

In contrast to independent Claims 1, 11, and 18 of the present invention, the Elms et al. reference, discloses a computer-implemented method for enabling a host to facilitate a transaction between a first and second party. In one implementation, every operation or communication between the first party and the second party goes through the host, and as such, direct voice communication is not established between the first party and the second party, as is described

in embodiments of the present invention recited in independent Claims 1, 11, and 18.

In another implementation, in the Elms et al. reference, a real-time chat is provided between the buyer and vendor. The real-time chat is envisioned in place of an exchange through a written format. That is, the real-time chat is mutually exclusive of the exchange through a written format (e.g., e-mail exchange).

The disclosure in the Elms et al. reference is in direct contrast to embodiments of the present invention as recited in independent Claims 1, 11, and 18. In particular, the present invention claims a method and apparatus for conducting a transaction in a B2B exchange that provides for establishing a direct voice communication and a web-based collaborative session through a mutual URL between a first party and a second party, as recited in independent Claims 1, 11, and 18.

Thus, Applicants respectfully submit that the present invention as disclosed in independent Claim 1, 11, and 18 is not anticipated by the Elms et al. reference, and is in a condition for allowance. In addition, Applicants respectfully submit that Claims 2-10 which depend from independent Claim 1 are also in a condition for allowance as being dependent on an allowable base claim. Similarly,

Applicants respectfully submit that Claims 12-17 which depend from independent Claim 11 are also in a condition for allowance as being dependent on an allowable base claim. In addition, Applicants respectfully submit that Claims 19-24 which depend from independent Claim 18 are also in a condition for allowance as being dependent on an allowable base claim.

35 U.S.C. §103 Rejection

The present Office Action rejected Claims 7, 10, 17, and 24 under 35 U.S.C. 103(a) as being unpatentable over Elms et al. Also, Claims 5, 6, 15, 16, 22, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elms et al. in view of Walker et al. (U.S. Patent Application Publication 2002/0169626). Applicants have reviewed the above cited references and respectfully submit that the present invention as recited in Claims 5-7, 10, 15-17, and 22-24 is neither anticipated nor rendered obvious by the Elms et al. reference taken alone or in combination with the Walker et al. reference.

Claims 5-7 and 10 depend from independent Claim 1, which for analogous reasons stated above in relation to the 35 U.S.C. 102(e) arguments are now allowable. Also, Claims 15-17 depend from independent Claim 11, which for analogous reasons stated above in relation to the 35 U.S.C. 102(e)

arguments are now allowable. Further, Claims 22-24 depend from independent Claim 18, which for analogous reasons stated above in relation to the 35 U.S.C. 102(e) arguments are now allowable. In particular, the prior art references cited against Claims 5-7, 10, 15-17, and 22-24 taken alone, or in combination, do not disclose nor suggest the method and apparatus for conducting transaction in a B2B exchange that establishing a direct voice communication and a web-based collaborative session through a mutual URL between a first party and a second party, as is recited in independent Claims 1, 11, and 18 of the present invention.

Thus, Applicants respectfully submit that the present invention as disclosed in dependent Claims 5-7, 10, 15-17, and 22-24 are not anticipated by the Elms et al. reference, taken alone or in combination with the Walker et al. reference since they depend on allowable base Claims 1, 11, and 18, as previously discussed. As such, dependent Claims 5-7, 10, 15-17, and 22-24 are in a condition for allowance as being dependent on allowable base Claims 1, 11, and 18.

CONCLUSION

In light of the facts and arguments presented herein, Applicants respectfully request reconsideration of the rejected Claims.

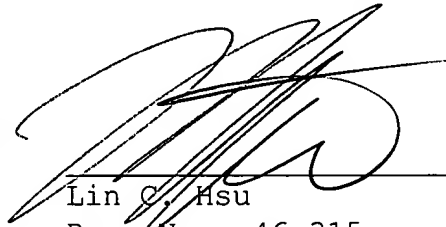
Based on the arguments presented above, Applicants respectfully assert that Claims 1-24 overcome the rejections of record. Therefore, Applicants respectfully solicit allowance of these Claims.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

Wagner, Murabito & Hao LLP

Date: 8 September 2004



Lin C. Hsu
Reg. No.: 46,315
Two North Market Street
Third Floor
San Jose, California 95113